

1 **IN THE UNITED STATES DISTRICT COURT**

2 **FOR THE DISTRICT OF ARIZONA**

3 IN RE BARD IVC FILTERS
4 PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

5 This Document Relates to Plaintiff Susan
6 Collis and Gerald Collis, 2:17-cv-01209-DGC

7
8 **PLAINTIFF'S UNOPPOSED MOTION TO TERMINATE PARTY**
9 **AND AMEND THE COMPLAINT**

10 Plaintiff Susan Collis, by and through undersigned counsel, and pursuant to FRCP
11 25(a) and 15(a)(2) hereby move the Court to terminate Gerald Collis, as Plaintiff by way
12 of an Amended Short Form Complaint in the form attached hereto as Exhibit 1, and in
13 support, states as follows:

- 14
- 15 1. Plaintiff Susan Collis was implanted with a Bard IVC Filter and subsequently
16 discovered injuries in 2016. Plaintiff retained undersigned counsel, who filed a
17 Complaint on her behalf against the Defendants for Plaintiff's IVC Filter-related
18 injuries.
 - 19 2. This case is part of a settlement with Bard.
 - 20 3. Plaintiff's spouse, Gerald Collis was also named as a plaintiff in this action for
21 damages, including loss of consortium.
 - 22 4. Gerald Collis unexpectedly passed away July 12, 2017.
 - 23 5. Plaintiff hereby submits an Amended Short Form Complaint, attached hereto as
24 Exhibit 1, which terminates Gerald Collis as Plaintiff, along with any claims for
25
 - 26
 - 27
 - 28

1 damages associated with Gerald Collis.

2 6. The death certificate of Gerald Collis is attached as Exhibit A to the Amended
3 Short Form Complaint.
4

5 7. Counsel for Defendants has indicated that they have no objection to this motion.

6 WHEREFORE, Plaintiff respectfully requests that this Court grant Plaintiff's Unopposed
7 Motion to Terminate Party and Amend the Complaint and order the Clerk to file the
8 Amended Short Form Complaint, attached hereto as Exhibit 1.
9

10
11 DATED: 09/21/2020

Respectfully Submitted,

12
13 /s/ Stuart L. Goldenberg
14 Stuart L. Goldenberg (*pro hac vice*)
15 Marlene J. Goldenberg (*pro hac vice*)
16 **GOLDENBERGLAW, PLLC**
17 800 LaSalle Avenue, Suite 2150
18 Minneapolis, MN 55402
19 Tel: (612) 333-4662
20 slgoldenberg@goldenberglaw.com
21 mjgoldenberg@goldenberglaw.com

22
23 *Attorneys for Plaintiffs*
24
25
26
27
28